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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,684	10/16/2001	Dong-Gyu Kim		3843

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MACPHERSON KWOK CHEN & HEID LLP
2033 GATEWAY PLACE
SUITE 400
SAN JOSE, CA 95110

EXAMINER

NGUYEN, DUNG T

ART UNIT	PAPER NUMBER
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2871

MAIL DATE	DELIVERY MODE
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06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/977,684

Applicant(s)

KIM, DONG-GYU

Examiner

Dung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6, 7 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-7, 20-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/30/2007 has been entered.
2. Applicant's response dated 02/28/2007 has been received and entered. Claims 6-7 and 20-25 are now pending in the application.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claim 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuyama et al., US Patent No. 5633,739, in view of Takao et al., US Patent No. 5,568,293.

Regarding claim 6, Matsuyama disclose a method for fabricating a liquid crystal display (LCD)(figure 11a-11e) comprising the step of:

- . forming a black matrix (BM) on a substrate (SUB2);
- . forming a plurality of color filters (FIL(B/R/G)), each the color filter has a flat central portion and a peripheral portion.

Matsuyama et al, however, do not disclose the peripheral portions of the neighboring color filter overlap and contact each other and having a taper angle less than 40 degrees. Takao

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et al. do disclose a color filter (B/G/R) can be overlapped and contacted to each other with a taper angle less than 40 degrees (respect to the normal line)(see figure 4A). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify the Matsuyama et al. color filter having at least a part of the peripheral portion overlapping to each other with a taper angle less than 40 degrees as shown by Takao et al. in order to reduce alignment effect (col. 2, ln 9-13).

3. Claim 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuyama et al., US Patent No. 5633,739, in view of Takao et al., US Patent No. 5,568,293, further in view of Nakamura et al., US Patent No. 5,725,975.

Regarding claim 7, the modification to Matsuyama et al. disclose the claimed invention as stated above except for using a mask to pattern the color filter. Nakamura et al. do disclose a mask having three different regions as claimed for forming a color filter (figure 5B, col. 6). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to use a mask having three different regions making the Matsuyama et al color filter as shown by Nakamura et al. in order to obtain a high accuracy and efficiency at a low cost (col. 2, ln 24-29).

4. Claims 20-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuyama et al., US Patent No. 5633,739, in view of Takao et al., US Patent No. 5,568,293, further in view of Kim, US Patent No. 6,567,150.

Regarding the above claims, the modification to Matsuyama et al. disclose the claimed invention as stated above except for the step of forming a plurality of gate/data lines, a thin film transistor (TFT). Kim does disclose the step of forming a plurality of gate lines, a plurality of

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data lines as well as a TFT (bridging paragraph from col. 1 to col. 2) Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ the Matsuyama et al. device a plurality of gate/data lines and a TFT as shown by Kim for display driving purposes.

Response to Arguments

5. Applicant's arguments filed 02/28/2007 have been fully considered but they are not persuasive.

Regarding claim 6, Applicant contends that the modification to Matsuyama (in view of Takao) does not disclose or suggest that "the peripheral portions of the neighboring color filters overlap and contact each other and have a taper angle less than 40 degrees". The Examiner is not convinced by this argument since the same is true of the combination of Matsuyama et al. and Takao et al. color filter. It should be note that Matsuyama et al. do disclose how to perform a color filter (FIL B/R/G) over a substrate (SUB2) with a black matrix therebetween (BM)(see figures 11a-11e), the modification to Matsuyama in view of Takao et al. is to form the Matsuyama et al. color filter in contact and overlap to each other as shown in figure 4A; so as such combination of Matsuyama et al. and Takao et al. color filter and the Applicant's color filter would be the same as well.

Accordingly, such the above claims stand rejected as noted.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN
11/27/2006



Dung Nguyen
Primary Examiner
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